

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ANDREA COLEMAN-HILL,**

**Plaintiff,**

**v.**

**GOVERNOR MIFFLIN SCHOOL  
DISTRICT,**

**Defendant.**

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**CIVIL ACTION**

**No.: 09-cv-5525**

**ORDER**

**AND NOW**, this 4TH day of November, 2010, upon consideration of Defendant Governor Mifflin School District's Motion for Sanctions (Doc. No. 15); and Plaintiff Andrea Coleman-Hill's response thereto (Doc. No. 17); and the Court having heard Oral Argument;

It is hereby **ORDERED** that Defendant's Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The request to preclude all evidence produced by Ms. Rachel Dombrowski to Robin J. Gray, Esq., is **GRANTED IN PART** and **DENIED IN PART**. Plaintiff is precluded from using any privileged or protected documents in any fashion. However, Defendant's request for blanket preclusion of all documents obtained from Ms. Dombrowski is denied without prejudice to Defendant's right to renew this Motion, or to file a motion in limine, if specific prejudice can be identified.

2. The request for attorney's fees, costs, and expenses is **GRANTED**. Plaintiff's counsel, Robin J. Gray, Esq., shall pay a reasonable amount of attorney's fees, costs, and expenses that were incurred in filing this Motion. Defendant's counsel is instructed to submit an appropriate Fee Petition, setting forth an itemization of his claim for attorney's fees, costs, and expenses.

3. The request for an affidavit by Robin J. Gray, Esq., is GRANTED. Ms. Gray shall provide an affidavit to Defendant's counsel within seven (7) days (a) attesting that all privileged documents have been returned to the Defendant's counsel; (b) stating that all documents produced by Ms. Dombrowski to Ms. Gray have been identified and furnished to Defendant's counsel, and (c) setting forth the Bates ranges of the documents provided.

4. The request for admonishment is GRANTED. The Court admonishes Robin J. Gray, Esq., that her continued failure to abide by the Federal Rules of Civil Procedure by (a) engaging in self-help for perceived discovery violations, (b) serving incomplete subpoenas lacking the requested times and dates for production, and (c) misusing a discovery tool intended for non-parties will not be tolerated and may be the basis for future sanctions.

5. It is further ORDERED that Ms. Gray shall return any documents that are admittedly privileged to Defendant's counsel, and shall provide to Defendant's counsel a Bates stamped copy of all documents sent by Ms. Dombrowski within seven (7) days.

BY THE COURT:

/s/ Lynne A. Sitarski  
LYNNE A. SITARSKI  
UNITED STATES MAGISTRATE JUDGE